

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

<b>In re:</b>	)	
	)	
<b>PATHNET OPERATING, INC.</b>	)	<b>Case Nos. 01-12266-SSM</b>
	)	<b>Chapter 7</b>
<b>Debtor.</b>	)	
_____	)	
	)	
<b>GORDON P. PEYTON, CHAPTER 7</b>	)	
<b>TRUSTEE FOR PATHNET OPERATING, INC.)</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Adv. Pro. No. 03-1149</b>
<b>v.</b>	)	
	)	
<b>BUTCH MAKI &amp; ASSOCIATES</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**CERTIFICATE OF DISCOVERY**

I hereby certify that, on September 2, 2003, a copy of Plaintiff's First Set of Requests for Production of Documents and Interrogatories to Defendant were provided to counsel for Defendant by facsimile and by regular mail to:

Thomas G. Rice  
201 3<sup>rd</sup> Street, NW  
Suite 1600  
Albuquerque, NM 87102

Respectfully submitted,

PIPER RUDNICK LLP

/s/ J. David Folds

J. David Folds VSB # 44068  
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served, electronically, as  
available, this 9<sup>th</sup> day of September, 2003, upon:

Thomas G. Rice  
201 3<sup>rd</sup> Street, NW  
Suite 1600  
Albuquerque, NM 87102

/s/ J. David Folds

J. David Folds